

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARTIN WOLFE,

Plaintiff ,

v.

Civil No. 08-10628  
Hon. John Feikens  
Magistrate Virginia Morgan

GC SERVICES LIMITED  
PARTNERSHIP-DELAWARE,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

I have before me, Magistrate Virginia M. Morgan's Report and Recommendation ("Report"). In her Report, Magistrate Morgan recommends that I grant Defendant's Motion to Dismiss based on spoliation and fabrication of evidence. Neither party has filed objections to Magistrate Morgan's report during the time set aside for doing so. I find that Magistrate Morgan has thoroughly and correctly analyzed the issues and I agree with her recommendation. For these reasons, I ADOPT Magistrate Morgan's Report and GRANT Defendant's Motion to Dismiss based on spoliation and fabrication of the evidence.

**IT IS SO ORDERED.**

Date: January 30, 2009

s/ John Feikens

John Feikens  
United States District Judge

Proof of Service

I hereby certify that the foregoing order was served on the attorneys/parties of record on January 30, 2009, by U.S. first class mail or electronic means.

s/Carol Cohron

Case Manager